

REMARKS

Claims 1-31 are pending.

The Examiner is thanked for the courtesy extended during the interview on June 15, 2006, and the substance of the interview set forth in the Interview Summary is adopted.

The Examiner's indication that claims 24-27 are allowable is noted with appreciation.

Claims 1-4 and 28-30 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,853,234 to Bentley et al. It is respectfully submitted that claims 1-4 and 28-30 as presently recited are not anticipated by Bentley.

Bentley does not disclose a cartridge having inlet apertures that are arranged around and completely surround the periphery of the compartment, as presently recited in claim 1. Instead, Bentley discloses a cartridge having inlet slots 28 on only two of the four sides of the bed 21, as illustrated in Fig. 5.

Bentley does not disclose a cartridge having inlet apertures that are arranged around the periphery of the compartment and surround a centrally located discharge spout positioned within the compartment, as presently recited in claim 28. Instead, Bentley discloses a cartridge having an outlet 37 that is not surrounded by the inlet slots 28, as illustrated in Fig. 5.

With respect to claim 31, which is former claim 29 rewritten in independent form, Bentley does not disclose inlet apertures that are orientated toward a centrally located discharge spout. More specifically, the inlet slots 28 of Bentley direct fluid into the bed 21 from opposing sides of the bed 21. Not only is the outlet 37 not in the bed 21, but imaginary lines drawn perpendicular to the inlet slots 28 would not intersect the outlet 37. Thus, the inlet slots 28 of Bentley are not orientated toward the outlet 37.

Claim 1 was rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,794,519 to Fischer. It is respectfully submitted that claim 1 as presently recited is not anticipated by Fischer.

Application No. 10/763,534
Amendment dated September 27, 2006
Reply to the Office action of May 19, 2006

Fischer does not disclose a cartridge having inlet apertures that are arranged around and completely surround the periphery of the compartment, as presently recited in claim 1. There is no disclosure in Fischer that the needles 9 completely surround the periphery of the capsule 30.

Claims 5-23 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Bentley. In view of the foregoing comments regarding claim 1, from which claims 5-23 depend, it is respectfully submitted that claims 5-23 are not unpatentable over Bentley.

For the reasons set forth above, claims 1-23 and 28-31 are believed to be allowable over the cited references, and reconsideration of claims 1-23 28-31 and allowance of claims 1-31 are respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required in this application to Deposit Account No. 06-1135.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

Date: September 27, 2006 s/Jon A. Birmingham/
Jon A. Birmingham
Registration No. 51,222

FITCH, EVEN, TABIN & FLANNERY
120 S. LaSalle Street, Suite 1600
Chicago, Illinois 60603-3406
Telephone: 312.577.7000
Facsimile: 312.577.7007

453689